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DEP'S REF
Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

2005 JUN -6 2005: 11

STRATTON et al.

Atty. Ref.: 34-105

Serial No. 09/744,664

TC/A.U.: 3752

Filed: September 18, 2000

Examiner: Kim, Christopher

For: A ROTARY DEVICE FOR TRANSMISSION OF MATERIAL IN
PARTICULATE FORM

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January 4, 2005

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

REQUEST FOR REFUND

It is respectfully requested that the two month extension fee of \$420.00 paid with the Response filed October 2, 2003 be refunded to the undersigned on the basis of the following:

An Official Action was issued by the Examiner identifying this application on May 30, 2003.

On review, it was discovered that the Examiner's Action did not address the specification and claims filed by the undersigned and a Request/Petition for the Office Action to be withdrawn was filed on June 10, 2003. When no Decision on that Petition was timely forthcoming and to ensure that the application would not become abandoned pending a Decision on the Petition, the undersigned filed a response on October 2, 2003 together with a two month extension of time. At that time, it was requested that the extension fee paid be refunded in the event the Petition was granted. On information and belief, the October 23, 2003 response was never entered

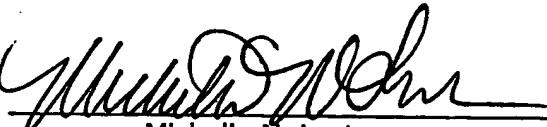
in the subject file pending a Decision on the Petition. On December 10, 2004, a Decision was rendered on the undersigned's Petition, granting the June 10, 2003 Petition and vacating the Examiner's Office Action. Thus, no response to the Examiner's Official Action was required and the extension fee paid should be refunded to the undersigned.

It is respectfully requested that the requested refund be granted by credit to the undersigned's Deposit Account No. 14-1140 under Order No. 34-105, referencing this application. Should there be any questions in regard to this refund request, please contact the undersigned at the number indicated below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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